

Serial No. 10/010/587

PATENT

REMARKS

The Office action dated November 16, 2005 has been carefully considered. Claims 1, 3-10 and 12-25 are active in this application. Further examination and reconsideration of the rejection of claims 1, 3-10 and 12-25 are respectfully requested.

The rejection of claims 1, 3-4, 6-10, 12-13 and 15-25 under 35 U.S.C. 102 (e) as being anticipated by Marshall et al. (US 200100316565 A1) is respectfully traversed. However, in order to further define applicants' invention, independent claims 1, 10 and 19 have been amended to recite "the macro messages being defined according to the one or more service providers, each macro message being capable of different meanings among the one or more service providers." As admitted in the Office action at page 7, "Marshall does not explicitly disclose wherein the macro messages are defined according to the one or more service providers, the same macro message being capable of a different meaning among the one or more service providers." Consequently, the foregoing amendments clearly distinguish applicants' independent claims from Marshall on the basis of 35 U.S.C. § 102 (e). Claims 2 and 11 were rejected under 35 U.S.C. 103 § (a) on the basis of Marshall in view of Antonello et al. Since the macro "capable of different meanings" limitation from these now cancelled claims have been added to the independent claims, it should be noted that the significance given Antonello in the Office action has been misplaced. The Office action states that "Ant (sic) discloses a discount identification code provided in order to allow the collection of statistical information relating to the types of borrowers who obtains (sic) access to the various offers, distinguishing borrowers accessing the offer for a second or subsequent time and identifying a borrower accessing an offer as coming from a particular lender (paragraphs [0033, 0035].)" The Office action continues with, "Therefore, one of ordinary skill in the art would have found it obvious to incorporate or

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implement Ant's (sic) macros being capable of different meaning among one or more service providers in Marshall's system in order to identify borrowers accessing an offer for a subsequent time." Using an online discount identification code in an effort to identify and distinguish borrowers (a one-way communicative effort) is entirely different from exchanging one or more operational messages. "Exchanging" messages comprising macros involves sending and receiving macros. Even if Antonello's discount identification codes were to be considered macros, these macros are not disclosed as being "exchanged." Moreover, Antonello has been misapprehended because a discount identification code used to identify and distinguish borrowers is not a macro capable of different meanings. There is nothing in Antonello that indicates that the discount codes have more than one meaning. Assuming arguendo, that a discount code is given to a consumer, there is nothing to teach or suggest that the code would have a different significance to another consumer getting the same code. Further, independent claims 1, 10 and 19 have been amended to recite "using wireless communications" in characterizing the communication between the service administrator and the service providers. Macro codes or messages (referenced as macros) are well-known "templates" used in data communications for reducing the amount of data transmitted over the air. Macros generally operate by transmitting a macro identifier and fields of information supplied by a vehicle operator or automatically by a computer onboard a vehicle or the like. When communicating such a macro, only the macro number and fields are transmitted. Transmitting macros capable of different meanings serves to conserve bandwidth usage in wireless communications-a useful advantage. No such consideration is present in Antonello, since Antonello is not concerned with wireless communications.

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As all of the claims now in this case now include the above macro with different meanings limitation, it is respectfully submitted that all claims are now patentably distinct from Marshall and Antonello whether taken singly or in combination.

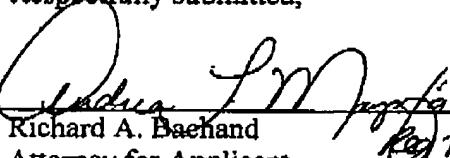
The rejection of claims 5 and 14 under 35 U.S.C. 103(a) as being unpatentable over Marshall et al. in view of Kaplan et al. is respectfully traversed. Now that claims 5 and 14 include the macro message with different meanings limitation as discussed above, in view of their dependency from claims 1 and 10, respectively. Consequently, it is submitted that Marshall et al. in view of Kaplan et al. fails to teach, suggest or make obvious claims 5 and 14.

In view of the amendment and remarks, this application is submitted as being in a condition for allowance. Favorable action is respectfully requested. Applicants therefore respectfully request that a timely Notice of Allowance be issued in this case.

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Respectfully submitted,

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